

Report Date: February 9, 2007

United States District Court

for the

Eastern District of Washington**Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender***(Probation Form 49, Waiver of Hearing is Attached)*FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

FEB 12 2007

JAMES R. LARSEN, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Michael James Thistlewaite

Case Number: 2:04CR00170-001

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen

Date of Original Sentence: 2/14/2005

Type of Supervision: Supervised Release

Original Offense: Possession With Intent to
Distribute Over 80 Kilograms but Less Than 100
Kilograms of Marijuana, 21 U.S.C. § 841(a)(1);
Importation of Over 80 Kilograms but Less Than 100
Kilograms of Marijuana, 21 U.S.C. § 952, 960(b)(3)

Date Supervision Commenced: 10/18/2006

Original Sentence: Prison - 30 Months; TSR - 36
Months

Date Supervision Expires: 10/17/2009

PETITIONING THE COURT

To modify the conditions of supervision as follows:

- 17 You shall reside in a residential reentry center for a period of up to 180 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

CAUSE

Mr. Thistlewaite was released from custody on the instant Federal offense on October 18, 2006. He released to the property of his brother who lives outside Newport, Washington. The area is remote, and Mr. Thistlewaite has limited access to transportation for needed services. He has failed to obtain lawful employment and had provided three urine samples that have tested positive for methamphetamine.

On December 20, 2006, a urine sample was collected from the defendant at his residence that tested positive for methamphetamine. He admitted to the undersigned officer that he had used the substance on December 19, 2006. In response to the violation behavior, Mr. Thistlewaite was referred to New Horizon Care Center for a substance abuse evaluation and random urinalysis testing.

On January 24, 2007, the defendant submitted a urine sample to staff at New Horizon Care Center that screened positive for the presence of methamphetamine. On February 6, 2007, Mr. Thistlewaite completed his evaluation and was diagnosed chemically dependent to methamphetamine. While at New Horizon for the evaluation, he submitted a urine sample that tested positive for methamphetamine.

Prob 12B

Re: Thistlewaite, Michael James

February 9, 2007

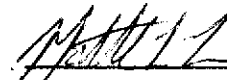
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New Horizon recommended that Mr. Thistlewaite complete intensive outpatient treatment, consisting of three group sessions weekly, followed by an additional two self-help meetings. The defendant indicated that he would have difficulty in arranging transportation to treatment. Further, the undersigned officer has concerns that he may continue his drug use if allowed to reside at his current residence while attending treatment.

Placing the defendant at a residential reentry center will give him that ability to attend the treatment recommended by New Horizon. Further, it will provide a structured setting and enhanced level of supervision while he focuses on his recovery and transition back into the community.

Respectfully submitted,

by



Matthew L Thompson

U.S. Probation Officer

Date: February 9, 2007

THE COURT ORDERS

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer



Date

United States District Court

Eastern District of Washington

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

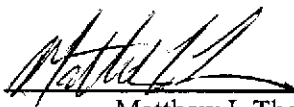
I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

To modify the conditions of supervision as follows:

- 17 You shall reside in a residential reentry center for a period of up to 180 days. You shall not be entitled to the benefits of the prerelease component. You shall abide by the rules and requirements of the facility. You shall remain at the facility until discharged by the Court.

Witness:



Matthew L. Thompson
U.S. Probation Officer

Signed:



Michael James Thistlewaite
Probationer or Supervised Releasee

February 9, 2007

Date